

10/561343

USPTO Rec'd PCT/PTO 20 DEC 2009

PATENT
Customer No. 22,852
Attorney Docket No. 05552.1464-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Udo KRUPKA) Group Art Unit: To be assigned
Application No.: To be assigned) Examiner: To be assigned
Filed: Herewith)
For: NOVEL SURFACE PROTEIN) Confirmation No.: To be assigned
 (HBsAg) VARIANT OF THE)
 HEPATITIS B VIRUS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Office the documents on the attached listing. This Information Disclosure Statement is being filed within three months of the filing of the instant application.

Copies of the listed foreign and non-patent literature documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claim in the application and Applicant determines

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that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 20, 2005

By: 
Elizabeth A. Doherty
Reg. No. 50,894

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IAPD Document PTO 20 DEC 2009

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	KRUPKA
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	05552.1464-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5,531,990	07-02-1996	Y. THANAVALA et al.	
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 1 142 906 A1	10-10-2001	J. ZHENG		
		EP 1 174 523 A2-A3	01-23-2002	W. N. CHEN et al.		

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation ⁶
		S. J. FRIEZNER DEGEN et al., "The Murine Urokinase-Type Plasminogen Activator Gene," <i>Biochemistry</i> , 26: 8270-8279 (1987)			
		K. M. WEINBERGER et al., "High genetic variability of the group-specific a-determinant of hepatitis B virus surface antigen (HBsAg) and the corresponding fragment of the viral polymerase in chronic virus carriers lacking detectable HBsAg in serum," <i>Journal of General Virology</i> , 81: 1165-1174 (2000)			
		M. P. COOREMAN et al., "Characterization of the Reactivity Pattern of Murine Monoclonal Antibodies Against Wild-Type Hepatitis B Surface Antigen to G145R and Other Naturally Occurring "a" Loop Escape Mutations," <i>Hepatology</i> , 11: 1287-1292 (1999)			
		W. F. CARMAN et al., "Fulminant reactivation of hepatitis B due to envelope protein mutant that escaped detection by monoclonal HBsAg ELISA," <i>The Lancet</i> , 345: 1406-1407 (1995)			
		H-L. CHIOU et al., "Altered antigenicity of 'a' determinant variants of hepatitis B virus," <i>Journal of General Virology</i> , 78: 2639-2645 (1997)			
		Sequence No. Q96841 from: M. T. MORAES et al., "Sequence analysis of pre-S/S gene of hepatitis B virus strains of genotypes A, D, and F isolates," <i>Arch. Virol.</i> , 141:1767-1773 (1996)			
		Sequence No. EMBL: AB104715 from: N. SAUDY et al., "Genotypes and phylogenetic characterization of hepatitis B and delta viruses in Egypt," <i>Journal of Medical Virology</i> , 70(4): 529-536 (2003)			
		Sequence No. AF280817 from: L. YAN et al., "First Chinese HBV strain: genotype D complete sequence report," submitted (21 JUN 2000).			
		Sequence No. EMBL: HEB297881 from: L.F. LIU, "Wide variety of genotypes and geographical origins of hepatitis B virus in Belgian children."			
		Sequence No. EMBL: HEB214660 from: I. BORCHANI-CHABCHOUB, "Genotyping of Tunisian hepatitis B virus isolates based on the sequencing of preS2 and S regions," <i>Microbes Infect.</i> , 2(6): 607-612 (2000)			

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.